

Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

Senator Colson by unanimous consent submitted the following reports:

Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 878, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

COLSON, Chairman.

Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 879, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

COLSON, Chairman.

Senator Willis by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 971, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

WILLIS, Chairman.

House Bill 1129 Ordered Not Printed

On motion of Senator Fuller and by unanimous consent H. B. No. 1129 was ordered not printed.

Senate Bill 478 Ordered Not Printed

On motion of Senator Schwartz and by unanimous consent S. B. No. 478 was ordered not printed.

Message from the Governor

The following message received from the Governor today was read

and was referred to the Committee on Nominations:

Austin, Texas,
May 22, 1961.

To the Senate of the Fifty-Seventh Legislature:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Adjutant General, effective July 1, 1961: Brigadier General James E. Taylor of Austin, Travis County.

To be Assistant Adjutant General: Brigadier General Thomas S. Bishop of Austin, Travis County.

Respectfully submitted,
PRICE DANIEL
Governor of Texas

Senate Joint Resolution 22 with House Amendments

Senator Hazlewood called S. J. R. No. 22 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Hazlewood moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the resolution.

The motion prevailed.

Welcome Resolution

S. R. No. 509—By Senator Martin: Extending welcome to students, teachers and sponsors of Malone Elementary School.

Adjournment

On motion of Senator Martin the Senate at 12:32 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

SEVENTIETH DAY

(Tuesday, May 23, 1961)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis
Lane	

Absent—Excused

Hudson	Weinert
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A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"O God, our Father, 'A wise son maketh a glad father.' We thank Thee that Thou art our Father. Make us wise in Thy ways, that we may let out light so shine before men, . . . and glorify our Father which is in heaven. We pray in the name of Him who is the light of the world. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday, was dispensed with and the Journal approved.

Leaves of Absence

Senator Hudson was granted leave of absence for today on account of important business on motion of Senator Owen.

Senator Weinert was granted leave of absence for today on account of illness in the family on motion of Senator Aikin.

Reports of Standing Committees

Senator Krueger submitted the following reports:

Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 1096, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 1097, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 1092, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KRUEGER, Chairman.

Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 819, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KRUEGER, Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 46, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. C. R. No. 101, have had the same under consideration, and we are instructed to report it back to the Senate with

the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 1037, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 436, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 650, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 295, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 551, have had the same under

consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 477, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 185, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 379, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred S. B. No. 133, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute adopted in lieu thereof do pass and be printed.

HARDEMAN, Chairman.

C. S. S. B. No. 133 was read the first time.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 46, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

HARDEMAN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Jurisprudence, to which was referred H. B. No. 158, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senator Lane submitted the following reports:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. C. R. No. 59, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. R. No. 462, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 998, have had the same under consideration, and we are instructed

to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 1088, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 818, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 86, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 711, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State

Affairs, to whom was referred H. B. No. 639, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 120, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 262, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 423, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute adopted in lieu thereof do pass and be printed.

LANE, Chairman.

C. S. H. B. No. 423 was read the first time.

Senator Aikin submitted the following reports:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 1098, have had the same under consideration, and we are instructed to report it back to the

Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 1071, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

AIKIN, Chairman.

Senator Colson submitted the following report:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred H. B. No. 162, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

COLSON, Chairman.

House Bill 1092 Ordered Not Printed

On motion of Senator Kazen and by unanimous consent H. B. No. 1092 was ordered not printed.

House Bill 1096 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent H. B. No. 1096 was ordered not printed.

House Bill 1097 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent H. B. No. 1097 was ordered not printed.

House Bill 141 Re-referred

On motion of Senator Hardeman and by unanimous consent H. B. No. 141 was withdrawn from the Committee on Jurisprudence and re-referred to the Committee on Counties, Cities and Towns.

House Bill 819 Ordered Not Printed

On motion of Senator Lane and by unanimous consent H. B. No. 819 was ordered not printed.

House Bill 829 Re-referred

On motion of Senator Lane and by unanimous consent H. B. No. 829 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Public Health.

Senate Concurrent Resolution 55 with House Amendments

Senator Baker called S. C. R. No. 55 from the President's table for consideration of the House amendments to the resolution.

The President laid the resolution and House amendments before the Senate, and the House amendments were read.

Senator Baker moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Bill 420 with House Amendments

Senator Baker called S. B. No. 420 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Baker moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis
Lane	

Absent—Excused

Hudson	Weinert
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Senate Bill 433 with House Amendments

Senator Baker called S. B. No. 433

from the President's table for consideration of the House Amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Baker moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis
Lane	

Absent—Excused

Hudson	Weinert
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Senate Bill 303 with House Amendments

Senator Creighton called S. B. No. 303 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Creighton moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Hardeman
Baker	Hazlewood
Calhoun	Herring
Colson	Kazen
Creighton	Krueger
Crump	Lane
Dies	Martin
Fuller	Moffett
Gonzalez	Moore

Owen	Rogers
Parkhouse	Schwartz
Patman	Secrest
Ratliff	Smith
Reagan	Willis
Roberts	

Absent—Excused

Hudson	Weinert
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House Bill 86 Ordered Not Printed

On motion of Senator Lane and by unanimous consent H. B. No. 86 was ordered not printed.

Senate Bill 238 with House Amendments

Senator Owen called S. B. No. 238 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Owen moved that the Senate concur in the House amendments.

The motion prevailed.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

House has appointed the following Conference Committee on Senate Bill No. 294: Kennard, Chairman; Cotten, Gladden, Richardson, Shannon.

H. C. R. No. 56, Requesting the Texas Legislative Council to make a study of present Texas laws relating to the ad valorem tax.

H. C. R. No. 89, Granting permission to Walter John Szczurek to sue the State of Texas in Travis County, Texas.

H. C. R. No. 92, Granting permission to Myrtle Pope and Dillard Pope to sue the State of Texas and the Texas Highway Department.

H. C. R. No. 93, Requesting the Texas Legislative Council to study that area of State regulation of the in-

surance industry dealing with the form and content of insurance contracts.

H. C. R. No. 109, Granting permission to Continental Fidelity Investment Company to sue the State of Texas.

H. C. R. No. 116, Congratulating the Honorable Tom L. McCullough on his 92nd birthday.

H. B. No. 923, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59 of the Constitution of Texas comprising certain territory contained in Kerr County, Texas, to be known as Kerr County (Center-point) Water Control and Improvement District, constituting the same a governmental agency and body politic and corporate and a municipal corporation; defining the boundaries thereof and finding that all land and property therein except that excluded will be benefited and that no election shall be necessary to confirm the organization of the district nor shall hearings be held on a plan of taxation but the ad valorem plan shall be used; prescribing the rights, powers, privileges and duties of said district and incorporating the General Law pertaining to water control and improvement districts not in conflict or inconsistent with the provisions of this Act; providing for a Board of Directors, their terms, the filling of vacancies, the election of successors, and prescribing the purpose for which bonds may be issued; the methods of securing the payment and the procedure for the issuance of such bonds; requiring all bonds except refunding bonds to be approved by the resident qualified property taxpaying voters whose property has been duly rendered for taxation and providing terms and conditions for such bonds and the sale thereof; prescribing the manner in which such elections shall be called, held, and notice thereof given; exempting the district's bonds from taxation; providing that the district shall have the power to fix rates and charges for services furnished; providing for a District Depository and the methods of its selection; making applicable to the district Title 52, Revised Civil Statutes of Texas, as amended, relating to eminent domain and providing that the cost of reloca-

tion, raising, rerouting or changing the grade or altering the construction of any highway, railroad, electric transmission line or telegraph properties and facilities shall be borne by district; providing that bonds of the district shall be authorized investments in certain instances and shall be eligible to secure the deposit of certain funds; providing for exclusion hearings; declaring the district essential; enacting provisions incident and relating to the subject; providing a severance clause; and declaring an emergency."

S. C. R. No. 71, Authorizing the Enrolling Clerk of the Senate to correct Senate Bill No. 71.

S. C. R. No. 72, authorizing the Enrolling Clerk of the Senate to correct Senate Concurrent Resolution No. 42.

H. B. No. 61, Setting up for Grade A milk produced outside the State of Texas to be imported to points within the State standards equal to those required for the production of Grade A milk within State of Texas; requiring that persons authorizing the importation of such milk into Texas certify that such milk is produced in accordance with standards equivalent to those governing the production of such milk in Texas; specifying the basis upon which such certificates may be issued; specifying the duties of the Texas State Department of Health in connection therewith; providing penalties; providing for severability; repealing all laws in conflict; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

House Concurrent Resolution 46
Ordered Not Printed

On motion of Senator Smith and by unanimous consent H. C. R. No. 46 was ordered not printed.

Bills and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bills and resolutions:

H. C. R. No. 40, Designating parking facilities in the vicinity of the Capitol under the authority of the State Board of Control and the State Building Commission.

H. J. R. No. 51, Proposing an amendment to Article IX of the Constitution of the State of Texas by adding thereto a new Section to be known as Section 9 to provide that the Legislature may authorize the creation of hospital districts composed of all or part of one or more counties; the assumption by the district of any included city, town or county hospital indebtedness and the transfer of all hospital facilities thereof to the district; the issuance of bonds for hospital purposes and the levy of taxes to pay the district's bonds, assumed indebtedness, and for operating and maintaining the district; providing other terms and conditions for accomplishing the purposes of this Amendment; and providing that any enabling Acts shall not be invalid because of their anticipatory character.

H. B. No. 83, A bill to be entitled "An Act amending, repealing from and adding to Chapter 276, Acts of the 45th Legislature, p. 556 (1937), as subsequently amended by Spec. L. Acts of the 46th Legislature, p. 1083 (1939), Chapter 60, Acts of the 53rd Legislature, p. 82 (1953), Chapter 504 Acts of the 55th Legislature, p. 1469 (1957), Chapter 37, Acts of the 56th Legislature, p. 78 (1959) and as codified under Article 8280-119, Vernon's Civil Statutes of the State of Texas, to enlarge and redefine the territorial jurisdiction of the San Antonio River Authority (hereafter called 'District'); to define the boundaries of said District; etc.; and declaring an emergency."

H. B. No. 91, Amending Article 342-206 of the Texas Banking Code of 1943, same being Acts of the Forty-eighth Legislature, Chapter 97, page 127, et seq., as amended, by relating a Savings and Loan Department; authorizing the appointment of a Savings and Loan Commissioner, a Deputy Savings and Loan Commissioner, and Savings and Loan Commissioners, and Savings and Loan Examiners, prescribing their qualifications and duties; fixing the conditions under which the rule-making power of the Building and Loan Section of the Finance Commission shall be exercised; abolishing the office of Building and Loan Supervisor; relieving the Banking Commissioner of certain duties; and declaring an emergency.

H. B. No. 111, A bill to be entitled "An Act amending Section 1 of Chap-

ter 360, Acts of the 47th Legislature, Regular Session, 1941, to provide that the Commissioners Court in all counties of this State may provide fire protection and fire fighting equipment for the citizens of the county outside of any city, town or village therein; to provide that this equipment may be paid for by time warrants drawn on the General Fund; and declaring an emergency."

H. B. No. 137, A bill to be entitled "An Act to repeal certain statutes and laws contained in Title 32 of the Texas Revised Civil Statutes, 1925, as amended. and certain subsequent legislative acts codified under such Title, which statutes, laws and acts are in conflict with the provisions of the Texas Business Corporation Act, Acts 1955, 54th Legislature, p. 239, ch. 64, and of the Texas Non-Profit Corporation Act, Acts 1959, 56th Legislature, p. 286, ch. 162, or are inconsistent with the general purposes of such Acts, or are supplanted by the provisions of those Acts; to provide for the effect of such repeal; and declaring an emergency."

H. B. No. 139, A bill to be entitled "An Act to amend Article 3914, Texas Revised Civil Statutes, 1925, as amended, Acts 1931, 42nd Legislature, Chapter 120, Section 1, in order to eliminate those filing fee provisions which have been supplanted by filing fee provisions in the Texas Business Corporation Act and in the Texas Non-Profit Corporation Act; and declaring an emergency."

H. B. No. 245, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to contract for medical care and treatment; and declaring an emergency."

H. B. No. 343, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the Abilene State School; to sell and convey same; and declaring an emergency."

H. B. No. 348, A bill to be entitled "An Act amending Article 1994 of the Revised Civil Statutes of Texas, 1925, as amended, to provide that in suits by minors, lunatics, idiots or non compos mentis when they are represented by next friend where a judgment is recovered not exceeding Fif-

teen Hundred Dollars (\$1,500), the court may by order, and upon the posting of bond, authorize such next friend to take charge of such money for the use and benefit of plaintiff; and declaring an emergency."

H. B. No. 349, Amending Article 195 of the Revised Civil Statutes of Texas, 1925, apportioning the State of Texas into Representative Districts; naming the Counties composing each District; providing the number of Representatives to be elected in each District; etc.; and declaring an emergency.

H. B. No. 692, A bill to be entitled "An Act to amend Section 1, Subsection 3c. B of House Bill No. 162, Acts of the 51st Legislature, 1949, Chapter 306, Page 559, as amended by Section 6 of House Bill No. 404, 54th Legislature, 1955, Chapter 496, Page 1239, known also as Section B of Article 7880-3c, Vernon's Annotated Civil Statutes, dealing with Underground Water Conservation Districts, by adding a new paragraph (11) at the end thereof, which shall be Section B (11) of Article 7880-3c, Vernon's Annotated Civil Statutes, authorizing a District to require the closing or capping of an 'open or uncovered' well; etc.; and declaring an emergency."

H. B. No. 721, A bill to be entitled "An Act to amend Section 1, Section 2, and Section 4 of House Bill 127, Acts of the Regular Session, 51st Legislature, providing for the creation, regulation, and financing of Mosquito Control Districts in counties; providing for a tax of five cents (5¢) but not to exceed twenty-five cents (25¢) on each one hundred dollar tax valuation; providing that this Act shall be severable; and declaring an emergency."

H. B. No. 922, A bill to be entitled "An Act creating a water control and improvement district under Article XVI, Section 59 of the Constitution of Texas, to be known as 'Kimble County Water Control and Improvement District No. 1,' comprising lands lying within the County of Kimble, Texas; etc.; and declaring an emergency."

H. B. No. 846, Providing for the trapping, transporting and transplanting of wild white-tailed deer from overpopulated areas to other areas in which deer populations are

below carrying capacity; providing such trapping, transporting and transplanting shall be at no expense to the State; providing for the issuance of permits by the Game and Fish Commission for trapping, transporting, and transplanting wild white-tailed deer; limiting the hunting of transplanted wild white-tailed deer; and declaring an emergency."

H. B. No. 1046, A bill to be entitled "An Act applying to incorporated cities and towns having a population of more than 100,000 inhabitants according to the Federal Census last preceding the taking of action, hereunder (referred to hereafter as 'city'); authorizing such city to purchase, build, construct, acquire, improve, enlarge, extend, maintain, repair, and replace any and all properties, improvements and facilities which the governing body thereof deems to be necessary for the elimination of grade level crossings by railroad lines of the streets of such city and for the relocation of railroad lines within said city (said properties, improvements and facilities being hereafter referred to as the 'Facilities'); etc.; and declaring an emergency."

H. B. No. 1063, A bill to be entitled "An Act enlarging Jefferson County Drainage District No. 6, of Jefferson County, Texas; converting said District as so enlarged to, and creating and establishing said District as, a conservation and reclamation district under Section 59, Article XVI, Texas Constitution; providing that the general laws, with exceptions, shall apply to said District and to its Drainage Commissioners; containing provisions relating to, and authorizing the issuance of, bonds of the District, and the assumption of bonds heretofore issued; authorizing the levy and collection of maintenance taxes; granting the right of eminent domain to the District; providing that if a majority vote is cast against the proposition for the levy and collection of a maintenance tax at the election provided for by the Act, this Act shall no longer be effective and the District shall immediately revert to its former boundaries and status as if this Act had not been enacted, and containing other provisions relating thereto; providing a severability clause; containing other provisions relating to the District; and declaring an emergency."

H. B. No. 1078, A Bill to be entitled "An Act amending Section 1 of Chapter 50, Acts of the 55th Legislature, Regular Session, 1957, as amended, relating to regulatory authority of the Game and Fish Commission in certain counties, so as to include Kerr County; and declaring an emergency."

H. B. No. 1085, A bill to be entitled "An Act relating to the authority of the Commissioners Court of any county having a population of more than 20,385 individuals and less than 20,475 individuals according to the last preceding Federal Census."

H. B. No. 817, A bill to be entitled "An Act relating to the closing of the wild turkey season in Caldwell County until November 14, 1964; providing a penalty; repealing all conflicting laws; and declaring an emergency."

H. B. No. 1068, A bill to be entitled "An Act authorizing and directing the Board of Regents of the State Teachers Colleges to convey to the Methodist Student Movement of Texas, Inc., a tract of land owned by the State of Texas for the use and benefit of Southwest Texas State College, in consideration for conveyance by the Methodist Student Movement of Texas, Inc., a tract of land to the City of San Marcos for street purposes; and declaring an emergency."

S. B. No. 14, A bill to be entitled "An Act establishing and providing for a State mentally retarded school; regulating and providing for the operation of same; and declaring an emergency."

S. B. No. 100, A bill to be entitled "An Act to amend certain Sections of Chapter 315, page 517, being Senate Bill No. 176, Acts of 1945, 49th Legislature, as amended by Chapter 369, page 621, being Senate Bill No. 273, Acts of 1951, 52nd Legislature, known as the Public Accountancy Act of 1945, and codified as Article 41a, Vernon's Annotated Civil Statutes of 1925, as amended which Act and Sections thereof herein amended relate to the regulation and licensing of persons to practice public accountancy in this state; repealing all laws in conflict therewith; and declaring an emergency."

S. B. No. 418, A bill to be entitled "An Act amending Paragraph (3) of

Section 1 of Article 3.50, Subchapter E of Senate Bill No. 236, Chapter 491, Acts of the Fifty-second Legislature, Regular Session, 1951, as amended by House Bill No. 364, Chapter 345, Acts of the Fifty-third Legislature, Regular Session, 1953, and as amended by House Bill No. 24, Chapter 18, Acts First Called Session of the Fifty-third Legislature, 1954, and as amended by House Bill No. 482, Chapter 336, Acts of the Fifty-fifth Legislature, Regular Session, 1957, pertaining to group life insurance policies; and providing a severability clause; repealing all laws or parts of laws in conflict and declaring an emergency."

S. C. R. No. 43, Requesting Governor to establish within Executive Department the position of State Coordinator of Aging Services.

S. C. R. No. 56, Designating Texas Public Schools Week for March 5-9, 1962.

S. C. R. No. 60, Granting Texas Gulf Construction Company, Inc., permission to sue the State of Texas.

S. C. R. No. 64, Granting T. J. Poole, Jr, et al., permission to sue the State of Texas.

S. C. R. No. 65, Granting Connecticut General Life Insurance Company permission to sue the State of Texas.

S. C. R. No. 69, Granting the Sisters of Charity of the Incarnate Word permission to sue the State of Texas.

Senate Resolution 515

Senator Hardeman offered the following resolution:

Be It Resolved, By the Senate that the Enrolling and Engrossing Clerk is instructed to change the date of the death of Honorable John Ramsey Anderson from May 16 to May 15 in S. R. No. 505 and that the permanent Journal be corrected accordingly.

The resolution was read and was adopted.

Reports of Standing Committees

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Coun-

ties, Cities and Towns, to whom was referred H. B. No. 141, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 665, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred S. B. No. 477, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Willis by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred H. B. No. 155, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WILLIS, Chairman.

Senator Krueger by unanimous consent submitted the following reports:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 415, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 913, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 1108, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

House Bill 650 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 650 was ordered not printed.

House Bill 162 Ordered Not Printed

On motion of Senator Owen and by unanimous consent H. B. No. 162 was ordered not printed.

Senate Bill 43 with House Amendments

Senator Herring called S. B. No. 43 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Herring moved that the Senate concur in the House amendments.

The motion prevailed.

Senate Resolution 516

Senator Ratliff offered the following resolution:

Whereas, Major General E. A. (Ted) Walker, former Commander of the 24th Infantry Division in Germany, is a native of Center Point, Kerr County, Texas, where his mother and brother still reside; and

Whereas, General Walker has had a brilliant Army career and is a graduate of West Point and commanded the 2nd Division Artillery at Heartbreak Ridge in the Korean War where this Division fired a record of 22,000 rounds every twenty-four hours for fourteen consecutive days, and General Walker was also in Anzio and Casino operations of World War II; and

Whereas, General Walker has proved his undying and unshakeable loyalty to his beloved United States of America and has always conducted himself as a true, loyal American; and

Whereas, The Defense Department in Washington has relieved him of his command because of charges brought by the owners of the Overseas Weekly, a Delaware Corporation, which publication has been accused of Anti-American leanings; now, therefore, be it

Resolved, That the Senate of the State of Texas go on record as giving its unqualified support to the reinstatement of General Walker as Commander of the 24th Infantry Division in Germany and that the Defense Department in Washington make known the results of its investigation of General Walker and so reinstate him.

RATLIFF
HARDEMAN

The resolution was read.

Senator Ratliff asked unanimous consent to consider the resolution immediately.

There was objection.

Senator Ratliff then moved to consider the resolution immediately.

The motion prevailed by the following vote:

Yeas—19

Calhoun	Martin
Colson	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Smith
Lane	

Nays—8

Aikin	Kazen
Gonzalez	Krueger

Patman Schwartz
Roberts Secrest

Absent

Baker Willis

Absent—Excused

Hudson Weinert

Question on adoption of the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—18

Calhoun	Moffett
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Rogers
Lane	Smith
Martin	Willis

Nays—10

Aikin	Krueger
Colson	Patman
Fuller	Roberts
Gonzalez	Schwartz
Kazen	Secrest

Absent

Baker

Absent—Excused

Hudson Weinert

**Presentation of Top Hand Award
to Senator Parkhouse**

The President announced that Mr. Bill Shaw, representing the Dallas Chamber of Commerce, was a visitor to the Senate and by unanimous consent was granted the privilege of addressing the Senate.

The President appointed Senators Martin, Aikin and Smith to escort Senator Parkhouse to the President's Rostrum.

The President presented the Honorable Bill Shaw to the Senate.

Mr. Shaw as a representative of the Lasso Club of the Dallas Chamber of Commerce presented Senator Parkhouse an award as a "Top Hand" and life membership in the Chamber of Commerce together with a book.

Senator Parkhouse addressed the Senate expressing appreciation for the honor and the privilege of receiving the award on this occasion.

**Senate Bill 54 with House
Amendments**

Senator Aikin called S. B. No. 54 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis
Lane	

Absent—Excused

Hudson Weinert

**Senate Bill 253 with House
Amendments**

Senator Aikin called S. B. No. 253 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate concur in the House amendments.

The motion prevailed.

House Bill 141 Ordered Not Printed

On motion of Senator Hardeman and by unanimous consent H. B. No. 141 was ordered not printed.

**Motion to Set House Bill 12
as Special Order**

Senator Patman asked unanimous consent that H. B. No. 12 be set as Special Order for 11:00 o'clock a.m. tomorrow.

There was objection.

Senator Patman then moved that H. B. No. 12 be set for Special Order for 11:00 o'clock a.m. tomorrow.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—17

Aikin	Moffett
Baker	Moore
Colson	Owen
Crump	Patman
Dies	Rogers
Gonzalez	Schwartz
Herring	Secrest
Kazen	Willis
Krueger	

Nays—11

Calhoun	Parkhouse
Creighton	Ratliff
Fuller	Reagan
Hardeman	Roberts
Hazlewood	Smith
Lane	

Absent

Martin

Absent—Excused

Hudson Weinert

**Senate Bill 443 with
House Amendments**

Senator Parkhouse called S. B. No. 443 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Parkhouse moved that the Senate concur in the House amendments.

The motion prevailed by the following vote:

Yeas—28

Aikin	Calhoun
Baker	Colson

Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Schwartz
Krueger	Secrest
Lane	Smith
Moffett	Willis

Absent

Martin

Absent—Excused

Hudson Weinert

**Senate Bill 285 with
House Amendments**

Senator Schwartz called S. B. No. 285 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Schwartz moved that the Senate concur in the House amendments.

The motion prevailed.

**Senate Bill 394 with
House Amendments**

Senator Kazen called S. B. No. 394 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Kazen moved that the Senate concur in the House amendments.

The motion prevailed.

Record of Vote

Senator Martin asked to be recorded as voting "Nay" on the motion to concur in House amendments to S. B. No. 394.

Executive Session

On motion of Senator Dies and by unanimous consent the Senate agreed to hold an Executive Session at 11:41 o'clock a.m. today.

Accordingly, the President directed all those not entitled to attend the executive session of the Senate to retire from the Senate Chamber and instructed the Sergeant-at-Arms to close all doors leading from the Chamber.

At the conclusion of the executive session the Secretary of the Senate informed the Journal Clerk that the Senate had confirmed the following nominations of the Governor:

To be a member of the Board of Regents of the State Teachers Colleges, for a six-year term to expire January 10, 1967: Ed Gossett of Dallas, Dallas County.

To be a member of the Board of Regents of the State Teachers Colleges, for a six-year term to expire January 10, 1967: Emil C. Rassman of Midland, Midland County.

To be a member of the Board of Regents of the State Teachers Colleges, for a six-year term to expire January 10, 1967: J. C. Kellam of Austin, Travis County.

To be a member of the Board of Regents of North Texas State College, effective May 25, 1961, for a six-year term to expire May 25, 1967: Ben H. Wooten of Dallas, Dallas County.

To be a member of the Board of Regents of North Texas State College, effective May 25, 1961, for a six-year term to expire May 25, 1967: Carroll F. Sullivant of Gainesville, Cooke County.

To be members of the Texas Turnpike Authority, for six-year terms to expire February 15, 1967: R. L. Thornton of Dallas, Dallas County; Don Looney of Fort Worth, Tarrant County.

To be Branch Pilots for the Galveston Bar and Houston Ship Channel, for two-year terms to expire April 5, 1963: Jay C. Browning of Houston, Harris County; H. E. Andersen of Houston, Harris County.

To be members of the Board of Directors of the Nueces River Conservation and Reclamation District, for six-year terms to expire February 1, 1967: Joe Carper of Uvalde, Uvalde County; Claud Gilmer of Rocksprings, Edwards County; Lon C. Hill of Cor-

pus Christi, Nueces County; Frank Jostes of Tynan, Bee County; Ray Keck, Jr., of Cotulla, LaSalle County; Clarence Martens of Alice, Jim Wells County; O. M. Shannon of Portland, San Patricio County.

To be a member of the Board of Directors of Texas Agricultural and Mechanical College, to fill the unexpired term of Herman Heep, deceased, term to expire January 10, 1963: William J. Lawson of Austin, Travis County.

To be a member of the Board of Regents of Texas Woman's University, for six-year term to expire January 10, 1967: Mrs. Nelda C. Stark of Orange, Orange County.

To be a member of the Board of Regents of Texas Woman's University, for a six-year term to expire January 10, 1967: Robert A. Hall of Dallas, Dallas County.

To be a member of the Board of Regents of Texas Woman's University, for a six-year term to expire January 10, 1967: Randall C. Jackson of Baird, Callahan County.

To be a member of the Texas Youth Council, for a six-year term to expire September 1, 1965: Robert W. Kneebone of Houston, Harris County.

To be a member of the State Board of Public Welfare, for a six-year term to expire January 20, 1965: W. Kendall Baker of Houston, Harris County.

To be Adjutant General, effective July 1, 1961: Brigadier General James E. Taylor of Austin, Travis County.

To be Assistant Adjutant General: Brigadier General Thomas S. Bishop of Austin, Travis County.

To be a member of the Texas Civil Judicial Council, to fill the unexpired term of Emil C. Rassman, resigned, term to expire July 1, 1963: W. St. John Garwood of Austin, Travis County.

To be members of the Board of Directors of the Jackson County Flood Control District, for six-year terms to expire May 1, 1967: Harrison Stafford of Edna, Jackson County; S. B. Allen of Edna, Jackson County; Ed Duenow of Lolita, Jackson County.

To be a member of the Texas Com-

mission on Higher Education, for a six-year term to expire March 31, 1967: Ralph Logan of San Angelo, Tom Green County.

To be a member of the Board of Regents of North Texas State College, effective May 25, 1961, for a six-year term to expire May 25, 1967: Ray Cowan of Austin, Travis County.

To be a member of the Board of Regents of North Texas State College, for a six-year term to expire May 25, 1965: B. E. Godfrey of Fort Worth, Tarrant County.

To be a member of the State Board of Nurse Examiners, for a six-year term to expire April 9, 1967: Sister Andrea Hickey of El Paso, El Paso County.

To be a member of the State Board of Nurse Examiners, for a six-year term to expire April 9, 1967: Miss Bernice R. Johnson of Austin, Travis County.

To be a member of the Good Neighbor Commission of Texas, for a term to expire June 19, 1965: Frank H. Kelley of Colorado City, Mitchell County.

To be a member of the Good Neighbor Commission of Texas, for a term to expire June 19, 1965: Earle B. Mayfield, Jr., of Dallas, Dallas County.

To be a member of the Good Neighbor Commission of Texas, for a term to expire June 19, 1965: Phil J. Montalbo of San Antonio, Bexar County.

To be a member of the Good Neighbor Commission of Texas, to fill the unexpired term of Boyd E. Ryan, deceased, term to expire June 19, 1963: W. J. Newell of Alpine, Brewster County.

To be a member of the Game and Fish Commission, for a six-year term to expire September 1, 1965: J. F. (Pat) Corley of Houston, Harris County.

To be Judge of the District Court of the 18th Judicial District, to fill the unexpired term of Judge John A. James, Jr., resigned: Penn J. Jackson of Cleburne, Johnson County.

To be members of the State Board of Barber Examiners, for six-year term to expire May 19, 1965: Ray

Shuler of Fort Worth, Tarrant County.

To be a member of the State Board of Barber Examiners, to fill the unexpired term of E. E. Bryant, resigned, term to expire May 19, 1961: C. D. McKnight of San Antonio, Bexar County.

To be Branch Pilots for the Galveston bar and Houston Ship Channel, for two-year terms to expire April 1, 1963: H. C. Cage of Houston, Harris County; Henry Corry of Houston, Harris County.

To be a member of the Burial Association Rate Board to fill the unexpired term of J. E. Keever, deceased, term to expire June 12, 1965: Mrs. B. E. Porter, Jr., of Gilmer, Upshur County.

To be a member of the Texas State Historical Survey Committee, for a six-year term to expire January 1, 1967: Mrs. L. E. Dudley of Abilene, Taylor County.

To be a member of the Texas State Historical Survey Committee, for a six-year term to expire January 1, 1967: Mrs. Edward Randall, Jr., of Galveston, Galveston County.

To be a member of the Texas State Historical Survey Committee, for a six-year term to expire January 1, 1967: Mrs. John M. Bennett, Jr., of San Antonio, Bexar County.

To be a member of the Texas State Historical Survey Committee, for a six-year term to expire January 1, 1967: John Ben Shepperd of Odessa, Ector County.

To be a member of the Texas Commission on Higher Education, for a term to expire March 31, 1965: Miss Elizabeth Koch of San Antonio, Bexar County.

To be a member of the Texas Commission on Higher Education, for a six-year term to expire March 31, 1967: Watson Wise of Tyler, Smith County.

To be a member of the Texas Commission on Higher Education, for a six-year term to expire March 31, 1967: Jesse C. Cooper of Dumas, Moore County.

To be a member of the Texas Commission on Higher Education, for a six-year term to expire March 31,

1967: L. L. Duckett of El Campo, Wharton County.

To be a member of the Texas Commission on Higher Education, for a six-year term to expire March 31, 1967: John E. Gray of Beaumont, Jefferson County.

To be a member of the State Board of Medical Examiners, for a six-year term to expire April 13, 1967: Dr. M. C. Carlisle of Waco, McLennan County.

To be a member of the State Board of Medical Examiners, for a six-year term to expire April 13, 1967: Dr. Charles D. Reece of Houston, Harris County.

To be a member of the Texas Library and Historical Commission, to fill the unexpired term of Guy B. Harrison, resigned, term to expire September 28, 1961: Jake Jacobsen of Austin, Travis County.

To be a member of the State Highway Commission, for a six-year term to expire February 15, 1967: Herbert C. Petry, Jr., of Carrizo Springs, Dimmit County (designated Chairman).

To be a member of the Texas State Historical Survey Committee, for a six-year term to expire January 1, 1967: Dr. R. N. Richardson of Abilene, Taylor County.

To be a member of the Texas State Historical Survey Committee, for a six-year term to expire January 1, 1967: Stuart McGregor of Dallas, Dallas County.

To be Secretary of State, to fill the unexpired term of Zollie Steakley, resigned, and for a two-year term to expire January 15, 1963: P. Frank Lake of Austin, Travis County.

To be members of the Joint Board of Park Commissioners, for two-year terms to expire June 29, 1962: Ernest Wilemon of Fort Worth, Tarrant County; Robert W. Leonard of Fort Worth, Tarrant County.

To be a member of the Joint Board of Park Commissioners, to fill the unexpired term of Glen Woodson, deceased, and for a two year term to expire June 29, 1962: James R. Leeton of Fort Worth, Tarrant County.

To be a member of the Joint Board

of Park Commissioners, to fill the unexpired term of Amon Carter, Jr., resigned, term to expire June 29, 1961: Perry Bass of Fort Worth, Tarrant County.

To be a member of the State Board of Medical Examiners, for a six-year term to expire April 13, 1967: Dr. Cecil Greer of Houston, Harris County.

To be a member of the State Board of Medical Examiners, for a six-year term to expire April 13, 1967: Dr. Howard R. Coats of Tyler, Smith County.

To be a member of the San Antonio River Authority, for a six-year term to expire May 5, 1965: Martin C. Giesecke of San Antonio, Bexar County.

To be members of the Texas Surplus Property Agency, for two-year terms to expire October 31, 1961: Wendell T. Siebert of Eastland, Eastland County; Clyde L. Arnold of Nacogdoches, Nacogdoches County; Theos S. Morck of Seguin, Guadalupe County; C. A. Roberson, Jr., of Odessa, Ector County; Dr. R. L. Williams of Corpus Christi, Nueces County; Rev. James A. Donnelly of Austin, Travis County; C. Read Granberry of Austin, Travis County; Ed Riedel of Austin, Travis County; O. G. Hereford of Austin, Travis County.

To be a member of the Board of Directors of Texas Technological College, for a six-year term to expire February 19, 1967: J. Edd McLaughlin of Ralls, Crosby County.

To be a member of the Board of Directors of Texas Technological College, for a six-year term to expire February 19, 1967: R. Wright Armstrong of Fort Worth, Tarrant County.

To be a member of the Board of Directors of the Trinity River Authority, for a six-year term to expire March 15, 1965: John M. Scott of Fort Worth, Tarrant County.

To be a member of the Texas Turnpike Authority, to fill the unexpired term of W. R. Boyd, Jr., deceased, term to expire February 15, 1961: M. J. Neeley of Fort Worth, Tarrant County.

To be a member of the Board of Director of Texas Technological Col-

lege, for a six-year term to expire February 19, 1967: Alvin R. Allison of Levelland, Hockley County.

In Legislative Session

The President called the Senate to order as In Legislative Session at 12:31 o'clock p.m. today.

Recess

On motion of Senator Hardeman the Senate at 12:32 o'clock p.m. took recess until 2:30 o'clock p.m. today.

After Recess

The President called the Senate to order at 2:30 o'clock p.m. today.

House Bills and Resolutions on First Reading

The following bills and resolutions received from the House, were read the first time and referred to the committees indicated:

H. B. No. 1084, To the Committee on Game and Fish.

H. B. No. 437, To the Committee on Game and Fish.

H. B. No. 706, To the Committee on Counties, Cities and Towns.

H. B. No. 1120, To the Committee on Water and Conservation.

H. B. No. 1110, To the Committee on Water and Conservation.

H. B. No. 1106, To the Committee on Water and Conservation.

H. B. No. 177, To the Committee on Water and Conservation.

H. B. No. 1131, To the Committee on Counties, Cities and Towns.

H. B. No. 1115, To the Committee on Counties, Cities and Towns.

H. B. No. 965, To the Committee on Game and Fish.

H. B. No. 768, To the Committee on Counties, Cities and Towns.

H. B. No. 975, To the Committee on Water and Conservation.

H. B. No. 800, To the Committee on Counties, Cities and Towns.

H. B. No. 231, To the Committee on Jurisprudence.

H. B. No. 1095, To the Committee on Game and Fish.

H. B. No. 921, To the Committee on Jurisprudence.

H. B. No. 157, To the Committee on Jurisprudence.

H. B. No. 1109, To the Committee on Counties, Cities and Towns.

H. B. No. 136, To the Committee on Jurisprudence.

H. B. No. 464, To the Committee on Jurisprudence.

H. B. No. 503, To the Committee on State Affairs.

H. B. No. 691, To the Committee on Labor and Management Relations.

H. B. No. 1080, To the Committee on State Affairs.

H. B. No. 923, To the Committee on Water and Conservation.

H. B. No. 61, To the Committee on Public Health.

H. C. R. No. 93, To the Committee on Insurance.

H. C. R. No. 92, To the Committee on Jurisprudence.

H. C. R. No. 109, To the Committee on Jurisprudence.

H. C. R. No. 89, To the Committee on Jurisprudence.

H. C. R. No. 56, To the Committee on State Affairs.

Message from the Governor

The following message received from the Governor was read and was filed with the Secretary of the Senate:

Austin, Texas,
May 23, 1961.

To the Members of the 57th Legislature:

A great tragedy has befallen our State in which four thousand, seven hundred and seven (4,707) people have been killed and 267,825 people have been injured.

I refer to the death and injury toll on our streets and highways during the past two years.

If 4,707 lives had been lost and 267,825 had been injured in a single disaster, I am sure that the Legisla-

ture of Texas would take every possible emergency action to aid the stricken and prevent or lessen a recurrence of the tragedy.

Deaths and injuries on our highways have been so numerous and destructive during the past two years that it is inconceivable that the 57th Legislature would adjourn without enacting at least some of the measures which have been recommended to help reduce the death toll during the next two years.

During the few remaining days of this Session, I urge you to give emergency consideration to the following measures which are now pending:

1. House Bill No. 652 by Johnson of Dallas and Snelson, revising the antiquated Driver Licensing Act.

2. House Bill No. 234 by de la Garza, providing for driver education courses in Texas High Schools.

3. Senate Bill No. 134 by Schwartz and House Bill No. 204 by de la Garza, providing for a chemical test in cases of driving while intoxicated.

4. Senate Bill 112 and 113 by Herring and House Bills 16 and 406 by Sandahl, providing for a system of traffic courts.

5. A substantial increase in personnel and salaries of the State Highway Patrol, now pending in the General Appropriation Bill.

Every person with any knowledge of this subject will agree that hundreds of lives can be saved during the next two years if these bills are enacted.

There are many important matters pending in the closing days of the Session, but none is more important than those which would help save the lives of our fellow men.

Therefore, I urge that this entire subject and the pending bills be given the same emergency consideration which you would give to the prevention or lessening of any other tragedy or disaster that threatens to kill 4,000 of our people and injure another 267,000 before the Legislature meets again in Regular Session.

Respectfully submitted,
PRICE DANIEL,
Governor.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 2, A bill to be entitled "An Act creating the University of Houston as a state supported institution of higher education; providing for its management and administration; providing that general laws affecting other State institutions of higher learning and not in conflict with this Act shall apply to the University of Houston; repealing laws in conflict; providing for severability; providing an effective date; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 53 on Second Reading

The President laid S. B. No. 53 before the Senate as pending business on its second reading with a Committee Amendment and a substitute for the Committee Amendment pending. (The bill having been read the second time on Friday, May 19, 1961.)

Question—Shall the substitute by Senator Rogers for the Committee Amendment to S. B. No. 53 be adopted?

The substitute by Senator Rogers for the Committee Amendment was adopted.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the adoption of the above amendment.

The Committee Amendment as substituted was then adopted.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the adoption of the above amendment.

On motion of Senator Rogers and by unanimous consent the caption was amended to conform to the body of the bill as amended.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the adoption of the above amendment.

The bill as amended was passed to engrossment.

Record of Vote

Senators Parkhouse and Gonzalez asked to be recorded as voting "Nay" on the passage of S. B. No. 53 to engrossment.

Senate Bill 53 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Moffett
Baker	Moore
Calhoun	Owen
Colson	Patman
Creighton	Ratliff
Crump	Reagan
Dies	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis

Nays—4

Fuller	Lane
Gonzalez	Parkhouse

Absent

Martin

Absent—Excused

Hudson	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

Record of Vote

Senator Parkhouse asked to be recorded as voting "Nay" on the final passage of S. B. No. 53.

Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 975, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Krueger by unanimous consent submitted the following report:

Austin, Texas,
May 22, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 1095, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 706, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 800, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 1120, have had the

same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PARKHOUSE, Chairman.

House Bill 975 Ordered Not Printed

On motion of Senator Moore and by unanimous consent H. B. No. 975 was ordered not printed.

House Bill 1120 Ordered Not Printed

On motion of Senator Roberts and by unanimous consent H. B. No. 1120 was ordered not printed.

House Bill 1095 Ordered Not Printed

On motion of Senator Calhoun and by unanimous consent H. B. No. 1095 was ordered not printed.

House Bill 800 Ordered Not Printed

On motion of Senator Rogers and by unanimous consent H. B. No. 800 was ordered not printed.

Reports of Standing Committees

Senator Parkhouse by unanimous consent submitted the following reports:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 923, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 1106, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Aikin by unanimous consent submitted the following reports:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 1065, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 1109, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 1131, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 1110, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

Senator Krueger by unanimous consent submitted the following report:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game

and Fish, to whom was referred H. B. No. 1084, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

KRUEGER, Chairman.

**Senate Bill 318 with
House Amendments**

Senator Reagan called S. B. No. 318 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Reagan moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Reagan, Martin, Parkhouse, Crump and Calhoun.

**Senate Joint Resolution 9
on Second Reading**

On motion of Senator Willis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. J. R. No. 9, Proposing an Amendment to the Constitution of the State of Texas, amending Sections 51a, Subsection 51a-1 and Section 51-b of Article III so that the same shall consist of one Section to be known as Section 51-a; providing that the Legislature shall have the power to provide assistance to and provide for the payment of same to citizens of Texas who are needy aged persons over the age of sixty-five (65) years, needy blind persons over the age of twenty-one (21) years, needy children under the age of sixteen (16) years and needy persons who are more than eighteen (18) years of age and less than sixty-five (65) years of age who are permanently and totally disabled; providing for direct or vendor payments for medical care on behalf of such recipients; providing for the ac-

ceptance of financial aid from the Government of the United States; etc., and declaring an emergency.

The resolution was read the second time.

(Senator Aikin in the Chair.)

Senator Hardeman offered the following committee amendment to the resolution:

Amend S. J. R. No. 9 by striking out all below the resolving clause and substituting in lieu thereof the following.

Section 1. That Sections 51a, Subsection 51a-1, and 51-b of Article III of the Constitution of the State of Texas be amended, and the same is hereby amended, so that the same shall hereafter consist of one Section to be known as Section 51-a of Article III, which shall read as follows:

"Section 51-a. The Legislature shall have the power, by General Laws, to provide, subject to the limitations and restrictions herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient, for assistance to, and for the payment of assistance to:

"(1) Needy aged persons who are actual bona fide citizens of Texas and who are over the age of sixty-five (65) years; provided that no such assistance shall be paid to any inmate of any state-supported institution, while such inmate, or to any person who shall not have actually resided in Texas for at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application.

"(2) Needy blind persons who are actual bona fide citizens of Texas and who are over the age of twenty-one (21) years; provided that no such assistance shall be paid to any inmate of any state-supported institutions, while such inmate, or to any person who shall not have actually resided in Texas at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application.

"(3) Needy children who are actual bona fide citizens of Texas and who are under the age of sixteen (16) years; provided that no such assist-

ance shall be paid on account of any child over one (1), year old who has not continuously resided in Texas for one (1) year immediately preceding the application for such assistance, or on account of any child under the age of one (1) year whose mother has not continuously resided in Texas for one (1) year immediately preceding such application.

"(4) Needy individuals, who are citizens of the United States, who shall have passed their eighteenth (18th) birthday but have not passed their sixty-fifth (65) birthday, who are permanently and totally disabled by reason of a mental or physical handicap or a combination of physical and mental handicaps; provided that no such assistance shall be paid to any persons who shall not have actually resided in Texas at least five (5) years during the nine (9) years immediately preceding the application for such assistance, and continuously for one (1) year immediately preceding such application; and providing further that no individual shall receive assistance under this program, for the permanently and totally disabled during any period when he is receiving old age assistance, aid to the needy blind, or aid to dependent children, nor while he is residing permanently in any state-supported institution.

"The Legislature shall have the power to provide, by General Law, and to make payment for same, under such limitations and restrictions as may be deemed by the Legislature expedient, for direct or vendor payments for medical care or other remedial care recognized by Texas law, on behalf of needy recipients of Old Age Assistance, Aid to Blind, Aid to Dependent Children and Aid to the Permanently and Totally Disabled, as provided for herein. The payments for such medical care or other remedial care recognized by Texas law on behalf of such recipients shall be in addition to the direct assistance to such recipients, and shall be in such amounts as provided by the Legislature.

"The Legislature shall have the authority to accept from the Federal Government of the United States such financial aid for the assistance of the needy aged, needy blind, needy children and needy permanently and totally disabled, and such financial aid for the payment for such medical care or other remedial care recognized by

Texas law, on behalf of such recipients in addition to the assistance payment, as such Government may offer not inconsistent with restrictions herein set forth; provided however, that the amount of such assistance or the amount of such medical care or other remedial care recognized by Texas law, on behalf of such recipients out of State funds shall not exceed the amount that is matchable out of Federal funds.

"The Legislature may enact appropriate laws to make lists of the recipients of aid hereunder available for inspection, under such limitations and restrictions as may by the Legislature be deemed expedient."

Section 2. The foregoing Constitutional Amendment shall be submitted to the electors of the State of Texas on the 6th day of November, 1962, at which election there shall be printed on the ballot the following clause:

"FOR the Constitutional Amendment providing for assistance payments to the needy aged, needy blind, needy children and needy permanently and totally disabled, and providing for vendor payments for medical care or other remedial care recognized by Texas law, in addition to the amounts paid in the form of assistance grants, to such recipients; authorizing the Legislature to make appropriations out of State funds for the payment of assistance grants and for the payment of medical care or other remedial care recognized by Texas law, on behalf of such recipients; providing for the acceptance of funds from the Federal Government for the purpose of paying such assistance grants and medical care or other remedial care recognized by Texas law, and providing that the amounts expended out of State funds for such purposes shall not exceed the amounts that are matchable out of Federal funds."

"AGAINST the Constitutional Amendment providing for assistance payments to the needy aged, needy blind, needy children and needy permanently and totally disabled, and providing for vendor payments for medical care or other remedial care recognized by Texas law, in addition to the amounts paid in the form of assistance grants, to such recipients; authorizing the legislature to make appropriations out of State funds for the payment of assistance grants and for the payment of medical care or other remedial care recognized by Texas law, on behalf of such recipi-

ents; providing for the acceptance of funds from the Federal Government for the purpose of paying such assistance grants and medical care or other remedial care recognized by Texas law, and providing that the amounts expended out of State funds for such purposes shall not exceed the amounts that are matchable out of Federal funds."

Section 3. The Governor of Texas shall issue the necessary proclamation for the election and this Amendment shall be published as required by the Constitution and laws of this State.

The Committee Amendment was read.

Senator Willis offered the following substitute for the pending Committee Amendment:

Amend Senate Joint Resolution No. 9 by striking out all below the resolving clause and substituting in lieu thereof the following:

Section 1. That Section 51a of Article III of the Constitution of the State of Texas be amended to read:

"Sec. 51a. Payment of Assistance to Needy Aged, Needy Blind and Needy Children. The Legislature shall have the power, by General Laws, to provide, subject to limitations and restrictions herein contained, and such other limitations, restrictions and regulations as may by the Legislature be deemed expedient for assistance to, and for the payment of assistance to:

(1) Needy aged persons who are actual bona fide citizens of Texas and who are over the age of sixty-five (65) years; provided that no such assistance shall be paid to any inmate of any state-supported institution, while such inmate, or to any person who shall not have actually resided in Texas for at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application; provided that the maximum payment per month from state funds shall not be more than Twenty-five Dollars (\$25) per person; and provided further that no payment in excess of Twenty-one Dollars (\$21) shall be paid out of state funds to an individual until and unless such additional amounts are matched by the Federal Government.

(2) Needy blind persons who are actual bona fide citizens of Texas and

are over the age of twenty-one (21) years; provided that no such assistance shall be paid to any inmate of any state-supported institution, while such inmate, or to any person who shall not have actually resided in Texas at least five (5) years during the nine (9) years immediately preceding the application for such assistance and continuously for one (1) year immediately preceding such application.

(3) Needy children who are actual bona fide citizens of Texas and are under the age of sixteen (16) years; provided that no such assistance shall be paid on account of any child over one (1) year old who has not continuously resided in Texas for one (1) year immediately preceding the application for such assistance, or on account of any child under the age of one (1) year whose mother has not continuously resided in Texas for one (1) year immediately preceding such application.

The Legislature shall have the authority to accept from the Federal Government of the United States such financial aid for the assistance of the needy aged, needy blind, and needy children as such Government may offer not inconsistent with restrictions herein set forth; provided however, that the amount of such assistance out of state funds to each person assisted shall never exceed the amount so expended out of federal funds; and provided further, that the total amount of money to be expended out of state funds for such assistance to the needy aged, needy blind, and needy children shall never exceed the sum of Fifty-two Million Dollars (\$52,000,000) per year.

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1962, at which election all ballots shall have printed thereon the following:

"FOR the Constitutional Amendment raising the limit on use of state funds to assist needy aged, needy blind and needy children from Forty-seven Million Dollars (\$47,000,000) to Fifty-two Million Dollars (\$52,000,000).

"AGAINST the Constitutional Amendment raising the limit on use of state funds to assist needy aged, needy blind and needy children from Forty-seven Million Dollars (\$47,000,-

000) to Fifty-two Million Dollars (\$52,000,000)."

Sec. 3. The Governor of Texas shall issue the necessary proclamation for the election and this Amendment shall be published in the manner and for the length of time required by the Constitution and laws of this State.

Senator Willis asked unanimous consent to dispense with the reading of the amendment and he would explain it.

There was objection.

The substitute for the Committee Amendment was then read.

Senator Hardeman offered the following amendment to the pending substitute amendment:

Amend the substitute for Committee Amendment to S. J. R. No. 9 by adding at the end of Sec. 1 as follows:

"The Legislature shall enact appropriate laws to make lists of the recipients of aid hereunder available for inspection under such limitations and restrictions as may be deemed appropriate by the Legislature."

The amendment to the pending amendment was adopted.

The substitute for the Committee Amendment as amended was then adopted.

The Committee Amendment as substituted and amended was then adopted.

On motion of Senator Willis and by unanimous consent the caption was amended to conform to the body of the resolution as amended.

The resolution as amended was passed to engrossment.

Senate Joint Resolution 9 on Third Reading

Senator Willis moved that the Constitutional Rule and Senate Rule 32 requiring resolutions to be read on three several days be suspended and that S. J. R. No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Calhoun
Baker	Colson

Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Kazen	Schwartz
Krueger	Secrest
Lane	Smith
Martin	Willis

Absent

Moffett

Absent—Excused

Hudson

Weinert

The Presiding Officer then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and was adopted by the following vote:

Yeas—28

Aikin	Lane
Baker	Martin
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis

Absent

Moffett

Absent—Excused

Hudson

Weinert

House Bill 1106 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 1106 was ordered not printed.

House Bill 1108 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 1108 was ordered not printed.

House Bill 913 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 913 was ordered not printed.

House Bill 415 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 415 was ordered not printed.

House Bill 923 Ordered Not Printed

On motion of Senator Crump and by unanimous consent H. B. No. 923 was ordered not printed.

House Bill 1114 Re-referred

On motion of Senator Reagan and by unanimous consent H. B. No. 1114 was withdrawn from the Committee on State Affairs and re-referred to the Committee on Water and Conservation.

Reports of Standing Committees

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 758, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Rogers by unanimous consent submitted the following report:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. C. R. No. 98, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

ROGERS, Chairman.

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties, Cities and Towns, to whom was referred H. B. No. 1115, have had the same under consideration, and we are

instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Senator Parkhouse by unanimous consent submitted the following report:

Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conservation, to whom was referred H. B. No. 1114, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PARKHOUSE, Chairman.

House Bill 758 Ordered Not Printed

On motion of Senator Owen and by unanimous consent H. B. No. 758 was ordered not printed.

House Bill 1084 Ordered Not Printed

On motion of Senator Reagan and by unanimous consent H. B. No. 1084 was ordered not printed.

House Bill 1115 Ordered Not Printed

On motion of Senator Martin and by unanimous consent H. B. No. 1115 was ordered not printed.

House Bill 1114 Ordered Not Printed

On motion of Senator Reagan and by unanimous consent H. B. No. 1114 was ordered not printed.

Committee Substitute**Senate Bill 321 on Second Reading**

Senator Herring asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 321 for consideration at this time.

There was objection.

Senator Herring then moved to suspend the regular order of business and take up C. S. S. B. No. 321 for consideration at this time.

The motion prevailed by the following vote:

Yeas—21

Aikin	Colson
Baker	Creighton
Calhoun	Crump

Fuller
Hardeman
Herring
Kazen
Lane
Moffett
Moore
Parkhouse

Ratliff
Reagan
Roberts
Schwartz
Secrest
Smith
Willis

Nays—5

Dies
Krueger
Martin

Owen
Patman

Absent

Gonzalez
Hazlewood

Rogers

Absent—Excused

Hudson
Weinert

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 321, A bill to be entitled "An Act directing payment of certain miscellaneous claims and judgments out of the sum appropriated for that purpose in the General Appropriation Bill; making an appropriation for and directing payment of certain miscellaneous claims and judgments out of other funds designated herein; requiring approval of claims in the manner specified in the Act before payment is made; and declaring an emergency."

The bill was read second time.

Senator Owen offered the following amendment to the bill:

Amend S. B. 321, Section 1, deleting the following:

"To pay General Motors Corporation 3044 West Grand Boulevard, Detroit 2, Michigan, for refund of overpayment of franchise tax, \$339,200.71."

The amendment was read.

Senator Willis moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—17

Aikin
Baker

Calhoun
Creighton

Crump
Fuller
Gonzalez
Hardeman
Hazlewood
Herring
Kazen

Lane
Parkhouse
Ratliff
Reagan
Schwartz
Willis

Nays—11

Dies
Krueger
Martin
Moffett
Moore
Owen

Patman
Roberts
Rogers
Secrest
Smith

Absent

Colson

Absent—Excused

Hudson
Weinert

Senator Moore offered the following amendment to the bill:

Amend Senate Bill No. 321 by adding to Section 1 the following:

To pay the salary of Floyd F. Bradshaw, P. O. Box 121, Weatherford, Texas, former member of the Senate, for the period from November 25, 1960 through January 9, 1961, \$599.98.

The amendment was read.

Senator Dies offered the following amendment to the pending amendment to the bill:

Amend the Moore amendment to S. B. 321 by adding the name "Bill Wood of Smith County, Texas," after the words "P. O. Box 121."

The amendment to the pending amendment was adopted.

Question on adoption of the pending amendment as amended, yeas and nays were demanded.

The amendment as amended was adopted by the following vote:

Yeas—13

Dies
Fuller
Gonzalez
Herring
Kazen
Moore
Owen

Ratliff
Reagan
Rogers
Schwartz
Smith
Willis

Nays—10

Aikin
Hardeman

Hazlewood
Krueger
Lane
Martin

Moffett
Parkhouse
Patman
Secrest

Present—Not Voting

Baker
Calhoun

Creighton
Crump

Absent

Colson

Roberts

Absent—Excused

Hudson

Weinert

Senator Fuller offered the following amendment to the bill:

Amend Committee Substitute for S. B. 321 by adding at the end of line 30, page 2, of the printed bill the figures \$274.53, and by adding at the end of line 32, page 2, of the printed bill the figures \$493.15.

The amendment was adopted.

C. S. S. B. No. 321 was passed to engrossment.

Committee Substitute Senate Bill 321 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that C. S. S. Bill No. 321 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin
Calhoun
Colson
Creighton
Crump
Dies
Fuller
Gonzalez
Hardeman
Herring
Kazen
Krueger

Lane
Martin
Moore
Patman
Ratliff
Reagan
Roberts
Rogers
Schwartz
Secrest
Smith
Willis

Nays—4

Hazlewood
Moffett

Owen
Parkhouse

Absent

Baker

Absent—Excused

Hudson

Weinert

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Votes

Senators Parkhouse, Owen, Moffett, Hazlewood and Secrest asked to be recorded as voting "Nay" on the final passage of C. S. S. B. No. 321.

Bills and Resolutions Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

H. J. R. No. 70, Proposing an Amendment to Article IX of the Constitution of the State of Texas by adding thereto a new Section authorizing the creation of a hospital district coterminous with the West Columbia, Brazoria, and Damon Independent School Districts; authorizing a hospital district coterminous with the Sweeny Independent School District; providing that subsequent to the organization of the two districts, the Sweeny Hospital District may, upon certain conditions, consolidate itself with the Damon, West Columbia, and Brazoria Hospital District; and providing a mode of funding.

H. C. R. No. 102, Suspending the Joint Rules of the House and Senate in order to permit the House and the Senate to consider at any time H. J. R. No. 30.

H. C. R. No. 104, Granting approval to the Board of Directors of the Agricultural and Mechanical College of Texas to make necessary improvements for the Texas Forest Service.

H. B. No. 345, A bill to be entitled "An Act authorizing the Commissioners Court in all counties having a population of not less than ninety-five thousand (95,000) and not more than one hundred fifteen thousand (115,000) according to the last preceding Federal census to purchase automobiles to be paid for out of county funds, and to be used by the County Commissioners in the discharge of

their official business; and declaring an emergency."

H. B. No. 761, A bill to be entitled "An Act to provide that the District Attorney of the 24th Judicial District shall be compensated not to exceed Ten Thousand Dollars (\$10,000); providing that the stenographer of such Judicial District shall be compensated not to exceed Four Thousand Dollars (\$4,000); and declaring an emergency."

H. B. No. 482, A bill to be entitled "An Act validating the incorporation of all cities and towns of four thousand five hundred (4,500) inhabitants or less, heretofore incorporated or attempted to be incorporated under the general laws of Texas; validating the boundary lines thereof; validating governmental proceedings; providing that this Act shall not apply to any city or town now involved in litigation questioning the legality of the incorporation or annexation; providing for severability; and declaring an emergency."

House Concurrent Resolution 46 on Second Reading

The Presiding Officer laid before the Senate on its second reading:

H. C. R. No. 46, Granting Jack Worley et al. permission to sue the State of Texas.

The resolution was read and was adopted.

Message from the House

Hall of the House of Representatives
Austin, Texas,
May 23, 1961.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 130, A bill to be entitled "An Act to establish a State Water Pollution Control Board, and to provide for the control, preventing and abatement of pollution of the surface and underground waters of the State; and declaring an emergency."

H. B. No. 480, A bill to be entitled "An Act amending paragraph 1 of Section 4 of Article II of Chapter 173, Acts of the 47th Legislature, Regular

Session, 1941, as last amended, which is codified as paragraph 1 of Section 4 of Article 6687b, Vernon's Texas Civil Statutes, relating to certain minors under 16 years of age who may be licensed upon affidavit of a physician and approval by the Department of Public Safety; providing certain penalties; repealing paragraph 1a of Section 4 of Article II of Chapter 173, Acts of the 47th Legislature, Regular Session, 1941, as added by Section 1 of Chapter 282, Acts of the 55th Legislature, Regular Session, 1957, which is codified as paragraph 1a of Section 4 of Article 6687b, Vernon's Texas Civil Statutes; and declaring an emergency."

H. B. No. 15, A bill to be entitled "An Act exempting certain church-owned motor vehicles used for church school purposes from certain motor vehicles sales taxes and registration fees, and providing for refunds of certain motor fuel taxes; amending Chapter 6 of Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, 1925; and Subsection c of Section 3 of Chapter 88, Acts of the 41st Legislature, Second Called Session, 1929, as last amended; and Subsections (2), (6) and (7) of Article 9.13, Chapter 9, Title 122A, Taxation-General, of the Revised Civil Statutes of Texas, 1925; providing for severability; and declaring an emergency."

H. B. No. 40, A bill to be entitled "An Act to regulate the business of lending in amount of \$2500 or less as defined herein; to define such business and provide exemptions; to require licensing of persons engaged in such business; to prescribe maximum rates of charge; to regulate the purchase or assignment of compensation for services; to provide for the administration and enforcement of this Act; to provide for a review of administrative acts hereunder; to create the office of Consumer Finance Commissioner; to prescribe penalties; to repeal Chapter 472, Acts of the 52nd Legislature, Regular Session, 1951, and Chapter 17, Acts of the 40th Legislature, 1st Called Session, 1927, as last amended by Chapter 195, Acts of the 49th Legislature, Regular Session, 1945, and Subsection (4), (5) and (6) of Article 19.01, Chapter 19, Title 122A Taxation-General, and Articles 6146 through 6161 inclusive, Revised Civil Statutes of Texas, 1925,

and to repeal all Acts and parts of Acts whether general, special, or local, which relate to the same subject matter as this Act, so far as they are inconsistent with the provisions of this Act; to provide for severability; providing a saving clause; providing an effective date; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

**House Joint
Resolution 32 on Second Reading**

On motion of Senator Lane and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. J. R. No. 32, Proposing an amendment to the Constitution of the State of Texas to authorize the Legislature to provide for trial de novo on all appeals to the courts from actions, rulings or decisions of administrative agencies and executive departments of the State of Texas or any of its political subdivisions.

The resolution was read second time and passed to third reading.

**Motion to Place House Joint
Resolution 32 on Third Reading**

Senator Lane moved that the Constitutional Rule and Senate Rule 32 requiring resolutions to be read on three several days be suspended and that H. J. R. No. 32 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—20

Creighton	Lane
Crump	Martin
Dies	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Patman
Hazlewood	Reagan
Herring	Roberts
Kazen	Rogers
Krueger	Smith

Nays—7

Aikin	Calhoun
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Moffett	Secrest
Ratliff	Willis
Schwartz	

Absent

Baker	Colson
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Absent—Excused

Hudson	Weinert
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**Notice for Local and Uncontested
Bill Session**

On motion of Senator Martin and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bills Calendar on Wednesday, May 24, 1961, at 9:30 o'clock a.m.

**House Joint Resolution 32
on Third Reading**

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. J. R. No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—23

Calhoun	Martin
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Schwartz
Kazen	Smith
Krueger	Willis
Lane	

Nays—4

Aikin	Ratliff
Moffett	Secrest

Absent

Baker	Colson
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Absent—Excused

Hudson	Weinert
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The Presiding Officer then laid the resolution before the Senate on its third reading and final passage the following resolution:

H. J. R. No. 32, Proposing an amendment to the Constitution of the

State of Texas to authorize the Legislature to provide for trial de novo on all appeals to the courts from actions, rulings or decisions of administrative agencies and executive departments of the State of Texas or any of its political subdivisions.

The resolution was read third time and passed by the following vote:

Yeas—23

Calhoun	Martin
Creighton	Moore
Crump	Owen
Dies	Parkhouse
Fuller	Patman
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Willis
Lane	

Nays—5

Aikin	Ratliff
Baker	Schwartz
Moffett	

Absent

Colson

Absent—Excused

Hudson Weinert

Conference Committee on Senate Joint Resolution 22

The Presiding Officer announced the appointment of the following Conference Committee by the President on S. J. R. No. 22 on the part of the Senate: Senators Hazlewood, Aikin, Baker, Colson and Reagan.

House Bill on First Reading

The following bill received from the House was read the first time and referred to the committee indicated:

H. B. No. 40, To the Committee on State Affairs.

Welcome Resolutions

S. R. No. 510, By Senator Hazlewood: Extending welcome to Mrs. James E. Brandon and Mr. Maung Tin Maung.

S. R. No. 511, By Senator Herring: Extending welcome to students and sponsors of Manor Elementary School.

S. R. No. 513, By Senator Martin: Extending welcome to students and sponsors of Peabody High School of Hillsboro.

S. R. No. 514, By Senator Gonzalez: Extending welcome to Reverend and Mrs. M. Saucedo and guests.

S. R. No. 517, By Senator Martin: Extending Welcome to students and teacher of Homemaking Class of Tolar Public School.

S. R. No. 518, By Senator Rogers: Extending welcome to Tom Newberry of Childress.

Memorial Resolution

S. R. No. 512, By Senator Colson: Memorial resolution for Mr. James W. (Jimmy) Trousdale.

Adjournment

On motion of Senator Hardeman the Senate at 5:36 o'clock p.m. adjourned until 9:30 o'clock a.m. tomorrow.

SEVENTY-FIRST DAY

(Wednesday, May 24, 1961)

The Senate met at 9:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Martin
Baker	Moffett
Calhoun	Moore
Colson	Owen
Creighton	Parkhouse
Crump	Patman
Dies	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Schwartz
Herring	Secrest
Kazen	Smith
Krueger	Willis
Lane	

Absent—Excused

Hudson Weinert

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, we have learned that